IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and
THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 14565 of 2005

Between:

Shahedabegum, R/o. 18-7-425,144, Bhavani Nagar, Hyderabad.

..... PETITIONER

AND

1 The Station House Officer, C.C.S. South Zone, Secunderabad.
2 The Station House Officer, Bhavani Nagar Police Station, Hyderabad.
3 The Commissioner of Police, Hyderabad City, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to may be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents herein to produce the detenu Viz., Md. Anwar, son of the Petitioner before this Hon'ble Court, who was illegally detained by the Police Personnel of C.C.S. South Zone Police Station, Bowenpally since 30-06-2005 at about 12-45 A.M. and set him at liberty forthwith and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner :TELEGRAM

Counsel for the Respondent Nos.1 to 3: THE ADVOCATE GENERAL

The Court made the following :

JUDGMENT: (Per the Hon'ble Smt Justice T.Meena Kumari)

This is a taken up case on the Telegram issued by the petitioner seeking a direction to the respondents to produce his son viz., Md. Anwar, who was illegally detained by the Police Personnel of C.C.S. South Zone Police Station, Bowenpally from 30.06.2005 at about 12.45 A.M and set him at liberty forthwith.

Combating the allegations made in the writ petition, the 1st respondent filed counter-affidavit wherein it has been stated that the alleged detenue is one of the accused in Crime No.141 of 2005 under Section 382 of IPC. He was arrested along with other accused on 29.04.2005 and some property was seized from his possession and he was produced before the XI Metropolitan Magistrate, Secunderabad on 30.04.2005 and they were sent to Central Prison, Cherlapalli. After that, he was enlarged on bail on 10.05.2005.

The learned Additional Advocate General has submitted across the Bar that the alleged detenue was arrested in connection with the above crime, he was remanded to judicial custody and subsequently he was enlarged on bail and as such the question of illegal detention does not arise.

In view of the submission made by the learned Additional Advocate General and in view of the averments made in the counter to the effect that the alleged deteneu was arrested in connection with the above crime and subsequently enlarged on bail, We are of the view that no further orders are necessary in this writ petition and accordingly, the same is liable to be dismissed.

The writ petition is, accordingly, dismissed.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

13.07.2005

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To

1 The Station House Officer, C.C.S. South Zone, Secunderabad.
2 The Station House Officer, Bhavani Nagar Police Station, Hyderabad.
3 The Commissioner of Police, Hyderabad City, Hyderabad.

4. Two CCs to Advocate General, High Court buildings, Hyderabad.

5. CD copies

*Form-NIC-OGS/WP{**TRR**}*